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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,827	01/23/2002	Philipp Ritter	TRW(REPA)6028	7790
26294	7590	07/14/2005	EXAMINER	
TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 526 SUPERIOR AVENUE, SUITE 1111 CLEVEVLAND, OH 44114			SINGH, ARTI R	
			ART UNIT	PAPER NUMBER

1771

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,827

Applicant(s)

RITTER, PHILIPP

Examiner

Ms. Arti Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-9, 11, 12, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2-9, 11, 12, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

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1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-9, 11, 12 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6458724 issued to Veiga et al. further in view of USPN 6140414 issued to Ohsawa et al.
4. USPN 6140414 issued to Ohsawa et al. discloses a novel curable silicone based aqueous surface coating composition for an airbag base fabric. The coating composition comprises an emulsion of polysiloxane having a 50-95 % weight of aqueous colloidal silica dispersion containing 10-50% by weight colloidal silica particles (abstract). In applying this coating to the fabric layer a coating liquid is applied to the surface of the substrate cloth, which infiltrates the texture of the cloth and therefore coats in-between the interstices of the fabric (column 7). Ohsawa lacks the teaching of the additional silicone-coating layer.

The disclosure to Veiga et al teach a multi layered composite comprising multiple coatings and fabric layers, brought together to form a double layered either by sewing or welding (column 4) to form all three types of airbags (side curtain, driver and passenger). The fabric is constructed from synthetic materials, preferably selected from the group consisting of polyamides and polyesters, with a woven nylon being the most preferred

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(column 2). Since the instant patent claims a woven fabric is should be understood that inherently this structure comprises a warp and a weft having interstices found there between. The coating layers can be a number of combinations such as polysiloxane/fabric/ /polyurethane/polysiloxane/polysiloxane (column 3). Therefore Veiga is relied upon for the teachings of a woven fabric (warp and weft) comprising polyamide or polyester yarns, with multiple coatings of silicone to form an airbag, and more specifically a side curtain air bag.

A person having ordinary skill in the art at the time the invention was made would have found it obvious to have used the composite of Ohsawa (fabric plus siloxane coating including silica particles) in the composite of Veiga et al, who provides plural coatings in their composite. One would have been motivated by the reasoned expectation of providing an airbag with superior heat resistance as shown in Column 2 of Veiga et al.


With regard to the limitations describing the static friction, Applicant claims at least 5% which also includes the end point of zero meaning no static friction at all. However it is the position of the Examiner that applying any form of coating or filler (particle) would cause some sort of friction.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-F 9-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ms. Arti Singh 6/27/05
Primary Examiner
Art Unit 1771

Ars 06/27/05